

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	1:10-cv-183
v.)	
)	
LARRY A. LORENO, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Now pending before the Court is a MOTION TO ADD PROPERTIES TO AUCTION (ECF NO. 135) filed pro se by Third-Party Defendants Gary Lawhead and Tina Gilpin. The government and Loreno have filed responses in opposition to the motion and it is ripe for disposition.

Over one year ago, the United States and Loreno reported that they had entered into a settlement agreement to resolve this action. On March 13, 2015, the Court granted their joint motion for a Consent Order (ECF No. 109) and administratively closed the case. From the Status Reports filed by Loreno, it appears that he has made very little to no progress in selling the real estate to satisfy his outstanding IRS tax lien, as contemplated in the settlement agreement.

On August 5, 2016, the United States and Loreno filed a joint status report, with an attached contract for two properties owned by Loreno to be sold at auction on October 11, 2016. The properties are located at 14 and 24 Conneaut Lake Road, Greenville, Pennsylvania. The parties have represented that they believe the proceeds from the auction will be sufficient to satisfy Loreno's tax liability. The parties have also represented that they will "work expeditiously" to schedule future auctions, if necessary, to satisfy the judgment "as quickly as

possible with the least interference with third parties' [*i.e.*, *Lawhead's and Gilpin's*] property rights as possible."

Lawhead and Gilpin are understandably frustrated by the slow pace of the payment in this case, and by the government's refusal to dismiss its third-party claims against them. The Court shares their frustration. Nevertheless, for the practical reasons set forth in the government's response, the Court will not intrude into the arrangements already made for the October 11th auction. Lorenzo and the government shall file a joint Status Report on or before October 18, 2016 regarding the results of the auction, the remaining balance owed by Lorenzo, and (if the Judgment is not fully satisfied or the claims against Lawhead and Gilpin remain pending) the contract, date and properties to be included in the next auction.

In accordance with the foregoing, the MOTION TO ADD PROPERTIES TO AUCTION (ECF NO. 135) is **DENIED**.

SO ORDERED this 8th day of September, 2016.

BY THE COURT:

s/ Terrence F. McVerry
United States District Judge

cc: **All counsel of record**
(Via CM/ECF)
Gary L. Lawhead and Tina L. Gilpin
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(Via US Mail)